

FRIDAY, MAY 22, 1981

FIFTY-SECOND LEGISLATIVE DAY

The House met at 9:30 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Herman Wolfe of Hardin County.

Representative Wolfe led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 91

Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussey, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—91.

The Speaker announced that Representative Huskey was excused because of business.

The Speaker announced that Representative Stafford was excused because of illness.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Friday, May 22, 1981: House Bills Nos. 1325, 1144, 1175, 440, 599, 696, 1164, 1024, 1136, 442, 395, 62, 923, 1272, 154, 1220, 419, 855, 1370, House Resolution No. 49, and House Bill No. 1012.

GILL, *Chairman.*

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 434, 496, 501, 515, 630, 643, 668, 670, 755, 792,

968, 1032, 1078, 1147, 1279, 1282, 1321 and 1330; and House Joint Resolutions Nos. 204, 205, 206, 208, 209, 210, 211, 216, 218, 223 and 224; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

CALENDAR

Mr. Small moved that House Bill No. 1004 be placed on the Calendar for January, 1982, which motion prevailed.

House Bill No. 1325—To amend Section 7-51-703, Code.

Mr. King (Shelby) moved that House Bill No. 1325 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 89
Noes 0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

A motion to reconsider was tabled.

House Bill No. 1144—To permit sale, alcoholic beverages, certain municipalities.

On motion, House Bill No. 1144 was made to conform with Senate Bill No.1232.

On motion, Senate Bill No. 1232, on same subject, was substituted for House Bill No. 1144.

Mr. Kernell moved that Senate Bill No. 1232 be passed on third and final consideration.

Mr. Kent moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1232 by striking the amendatory language in Section I of the bill and by substituting in lieu thereof the following:

(e) It shall further be lawful to sell wine and other alcoholic beverages as defined in Tennessee Code Annotated 57-6-102 to be consumed on the premises of a permanently constructed facility within an Urban Park Center as hereinafter defined, to those in attendance at the Urban Park Center, subject to the further provisions of this Chapter other than Tennessee Code Annotated 57-4-103 and 57-3-210 (b) (1).

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1232, as amended, passed its third and final consideration by the following vote:

Ayes	55
Noes	26
Present and not voting	5

Representatives voting aye were: Akard, Baker, Bell (Knox), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Ellis, Frensley, Gaia, Gill, Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lowe, McNally, Montgomery, Murphy (Davidson), Naifeh, Owen, Rhinehart, Robinson (Davidson), Robinson (Washington), Severance, Spence, Stallings, Starnes, Sterling, Tanner, Webb, Withers, Yelton and Mr. Speaker McWherter—55.

Representatives voting no were: Bell (Wilson), Copeland, Davidson, Dills, Duer, Duncan, Ford, Harrill, Henry (Roane), Hurley, Lashlee, McAfee, McKinney, Miller, Murray, Phillips, Robertson, Scruggs, Shockley, Smith, Wallace, Wheeler, Whitson, Wolfe, Wood and Work—26.

Representatives present and not voting were: Moore, Percy, Pickering, Richardson and Wix—5.

A motion to reconsider was tabled.

House Bill No. 1175—to provide for payment of expenses, certain counseling.

On motion, House Bill No. 1175 was made to conform with Senate Bill No. 367.

On motion, Senate Bill No. 367, on same subject, was substituted for House Bill No. 1175.

Mr. Kent moved that Senate Bill No. 367 be passed on third and final consideration.

Mr. Kent moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 367 by adding a new paragraph at the end of the Amendatory language of Section I to read as follows:

“ the maximum expense to be borne by the defendant, in addition to the monthly charge, shall be not more than \$50.00 and this additional expense charge shall cease to be charged or required, effective July 1, 1982.”

And Further to amend by adding a new paragraph at the end of Section 2 to read as follows:

“ However, the maximum expense to be borne by the defendant, in addition to the monthly charge, shall be not more than \$50.00 and this additional expense charge shall cease to be charged or required, effective, July 1, 1982.”

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 367, as amended, passed its third and final consideration by the following vote:

Ayes	84
Noes	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley,

Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Severance, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter—84.

Representatives voting no were: Jones, Scruggs, Shirley and Work—4.

A motion to reconsider was tabled.

House Bill No. 599—To amend Junkyard Control Act of 1967.

On motion, House Bill No. 599 was made to conform with Senate Bill No. 1133.

On motion, Senate Bill No. 1133, on same subject, was substituted for House Bill No. 599.

Mr. Chiles moved that Senate Bill No. 1133 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1133 by deleting from line 5 of the amendatory language of subsection (b) of Section 1 the following words and punctuation:

auto-recycling and dismantling yards,

AND FURTHER AMEND by inserting the following as a new section between Sections 11 and 12, to be appropriately numbered, renumbering subsequent sections accordingly:

SECTION 12. The provisions of this act shall not apply to automotive dismantlers and recyclers as defined in Tennessee Code Annotated, Section 55-17-102, item (2), which are licensed pursuant to Tennessee Code Annotated, Section 55-17-109, Subsection (b), and Section 55-17-112, item (6); except that the distance requirements of Section 9, of this act and of Tennessee Code Annotated, Section 54-20-104 and the screening requirements of Tennessee Code Annotated, Section 54-20-105 shall apply.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1133, as amended, passed its third and final consideration by the following vote:

Ayes	84
Noes	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips,

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Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—84.

Representatives voting no were: Buck, Crain, Severance and Wheeler—4.

A motion to reconsider was tabled.

House Bill No. 696—To regulate testing certain applicants, state employment.

On motion, House Bill No. 696 was made to conform with Senate Bill No. 956.

On motion, Senate Bill No. 956, on same subject, was substituted for House Bill No. 696.

Mr. Wood moved that Senate Bill No. 956 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

A motion to reconsider was tabled.

House Bill No. 1024—To regulate airport property, certain counties.

Mr. Clark (Davidson) moved that House Bill No. 1024 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	70
Noes	15
Present and not voting	4

Representatives voting aye were: Baker, Bell (Knox), Bell (Wilson), Bivens, Brewer, Buck, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Ellis, Ford, Gaia, Gill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Wix, Wood, Yelton and Mr. Speaker McWherter—70.

Representatives voting no were: Akard, Bewley, Chiles, Davis (Pickett), Duer, Duncan, Frensley, Harrill, McNally, Montgomery, Percy, Smith, Whitson, Wolfe and Work—15.

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Representatives present and not voting were: Bragg, Burnett, Johnson and Richardson—4.

A motion to reconsider was tabled.

House Bill No. 1136—To amend Title 2, Chapter 2, Code.

On motion, House Bill No. 1136 was made to conform with Senate Bill No. 314.

On motion, Senate Bill No. 314, on same subject, was substituted for House Bill No. 1136.

Mr. Miller moved that Senate Bill No. 314 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—88.

A motion to reconsider was tabled.

House Bill No. 442—To continue funding, certain judicial circuits.

On motion, House Bill No. 442 was made to conform with Senate Bill No. 104.

On motion, Senate Bill No. 104, on same subject, was substituted for House Bill No. 442.

Mr. Burnett moved that Senate Bill No. 104 be passed on third and final consideration.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 104 by deleting the final section in its entirety and substituting instead the following:

SECTION 4. This act shall take effect on July 1, 1981, the public welfare requiring it and shall cease to be effective on July 1, 1982.

On motion, the amendment was adopted.

Thereupon Senate Bill No. 104, as amended, passed its third and final consideration by the following vote:

Ayes	71
Noes	15
Present and not voting	1

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Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Clark (Davidson), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Frensley, Gaia, Gill, Harrill, Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Shirley, Shockley, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Wheeler, Wood, Work, Yelton and Mr. Speaker McWherter—71.

Representatives voting no were: Chiles, Clark (Sumner), Crain, Duncan, Ford, Henry (Roane), Hurley, Scruggs, Severance, Smith, Spence, Ussery, Webb, Whitson and Wolfe—15.

Representative present and not voting was: Wix—1.

A motion to reconsider was tabled.

House Bill No. 395—To make certain provisions, employee demotions or transfers.

On motion, House Bill No. 395 was made to conform with Senate Bill No. 167.

On motion, Senate Bill No. 167, on same subject, was substituted for House Bill No. 395.

Mr. Cobb moved that Senate Bill No. 167 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

A motion to reconsider was tabled.

House Bill No. 62—To require Personnel Commissioner to inform employees, certain rights.

On motion, House Bill No. 62 was made to conform with Senate Bill No. 159.

On motion, Senate Bill No. 159, on same subject, was substituted for House Bill No. 62.

Mr. Crain moved that Senate Bill No. 159 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark

(Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—88.

A motion to reconsider was tabled.

House Bill No. 1164—To clarify definition, “Project,” industrial development corporations.

Mr. Owen moved that House Bill No. 1164 be passed on third and final consideration.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1164 by deleting Section 1 thereof and substituting therefor the following new section:

SECTION 1. Tennessee Code Annotated, Section 7-53-101, is amended by deleting subsection (B) of the definition of “Project” in its entirety and substituting instead the following:

(B) In any municipality in which there has been created a central business improvement district pursuant to Tennessee Code Annotated, Section 7-84-101, et. seq., the term “project” shall also mean any hotel, motel, or apartment building located within an area designated by appropriate resolution or ordinance by the municipality as the center-city area, or any hotel or motel within any area within the creating municipality designated by appropriate resolution or ordinance by such municipality as an area which could provide substantial sources of tax revenues or economic activity to the municipality; but does not include facilities designed for the sale or distribution to the public of electricity, gas, water or telephone or other services commonly classified as public utilities, except such as are herein specifically included.

On motion, the amendment was adopted.

Mr. Owen moved the previous question, which motion prevailed by the following vote:

Ayes	60
Noes	19
Present and not voting	6

Representatives voting aye were: Bell (Knox), Bewley, Bivens, Buck, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Gaia, Gill, Henry (Roane), Hillis, Hudson, Hurley, Jones, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray, Naifeh, Owen, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Shirley, Shockley, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Withers and Wood—60.

Representatives voting no were: Akard, Baker, Bell (Wilson), Crain, Davis (Pickett),

Duncan, Frensley, Harrill, Johnson, Kelley, McNally, Montgomery, Percy, Severance, Smith, Wallace, Wolfe, Work and Yelton—19.

Representatives present and not voting were: Bragg, Brewer, Burnett, Richardson, Wix and Mr. Speaker McWherter—6.

Thereupon, House Bill No. 1164 failed to receive a constitutional majority by the following vote:

Ayes	47
Noes	40
Present and not voting	3

Representatives voting aye were: Brewer, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, Disspayne, Ellis, Ford, Gaia, Gill, Hillis, Hudson, Hurley, Jared, Jones, Kent, Kernell, King (Shelby), King (Washington), Love, Lowe, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Naifeh, Owen, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Shirley, Spence, Sterling, Tanner, Turner, Ussery, Wheeler, Withers and Mr. Speaker McWherter—47.

Representatives voting no were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Carter, Chiles, Crain, Davis (Pickett), DePriest, Dills, Duer, Duncan, Frensley, Harrill, Henry (Roane), Johnson, Kelley, Lashlee, McAfee, McNally, Montgomery, Murray, Percy, Richardson, Scruggs, Severance, Shockley, Smith, Stallings, Wallace, Webb, Whitson, Wolfe, Wood, Work and Yelton—40.

Representatives present and not voting were: Burnett, Starnes and Wix—3.

Under the rules, House Bill No. 1164 was re-referred to the Committee on Calendar and Rules.

House Bill No. 923—To provide for installment bonds of counties.

On motion, House Bill No. 923 was made to conform with Senate Bill No. 1070.

On motion, Senate Bill No. 1070, on same subject, was substituted for House Bill No. 923.

Mr. Hillis moved that Senate Bill No. 1070 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

A motion to reconsider was tabled.

House Bill No. 1272—To provide for enforcement, alcoholic beverage laws.

On motion, House Bill No. 1272 was made to conform with Senate Bill No. 1122.

On motion, Senate Bill No. 1122, on same subject, was substituted for House Bill No. 1272.

Mr. Covington moved that Senate Bill No. 1122 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1122 by adding the following language at the end of subsection (b) (1) of the amendatory language of Section 1:

However, the total amount of all the fines for separate offenses arising from the same set of circumstances may not exceed the statutory maximums established above.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1122, as amended, passed its third and final consideration by the following vote:

Ayes	75
Noes	7
Present and not voting	4

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Duer, Ellis, Ford, Frensey, Gaia, Gill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Shirley, Shockley, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Webb, Wheeler, Whitson, Wood, Work, Yelton and Mr. Speaker McWherter—75.

Representatives voting no were: Davis (Pickett), Duncan, Johnson, McAfee, Smith, Wallace and Wolfe—7.

Representatives present and not voting were: Pickering, Richardson, Severance and Wix—4.

A motion to reconsider was tabled.

House Bill No. 154—To change composition, Court of Judiciary.

On motion, House Bill No. 154 was made to conform with Senate Bill No. 251.

On motion, Senate Bill No. 251, on same subject, was substituted for House Bill No. 154.

Mr. Wheeler moved that Senate Bill No. 251 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	82
Noes	4
Present and not voting	1

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Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—82.

Representatives voting no were: Pickering, Ussery, Whitson and Wix—4.

Representative present and not voting was: Severance—1.

A motion to reconsider was tabled.

Mr. Bragg moved that House Bill No. 1220 be placed on the Calendar for 1982, which motion prevailed by the following vote:

Ayes	82
Noes	0
Present and not voting	2

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—82.

Representatives present and not voting were: Kernell and Sterling—2.

House Bill No. 419—To increase state's contribution, retirement system.

On motion, House Bill No. 419 was made to conform with Senate Bill No. 607.

On motion, Senate Bill No. 607, on same subject, was substituted for House Bill No. 419.

Mr. Bragg moved that Senate Bill No. 607 be placed on the Calendar for Tuesday, May 26, 1981, which motion prevailed.

House Bill No. 855—To regulate police authority, incorporated towns.

On motion, House Bill No. 855 was made to conform with Senate Bill No. 1124.

On motion, Senate Bill No. 1124, on same subject, was substituted for House Bill No. 855.

Mr. McKinney moved that Senate Bill No. 1124 be passed on third and final consideration.

Mr. Disspayne moved the previous question, which motion failed by the following vote:

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Ayes	51
Noes	29
Present and not voting	6

Representatives voting aye were: Baker, Bell (Wilson), Bivens, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Frensley, Gaia, Harrill, Hillis, Hudson, Hurley, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Love, McKinney, McNally, Moore, Murphy (Davidson), Murray, Owen, Pickering, Rhinehart, Robinson (Davidson), Robinson (Washington), Shirley, Spence, Starnes, Sterling, Tanner, Webb, Wheeler, Whitson, Wix and Work—51.

Representatives voting no were: Akard, Bell (Knox), Bewley, Bragg, Carter, Copeland, Crain, Davis (Gibson), Davis (Pickett), Ford, Henry (Roane), Johnson, Lashlee, Lowe, McAfee, Montgomery, Naifeh, Percy, Richardson, Robertson, Scruggs, Severance, Shockley, Smith, Stallings, Ussery, Wallace, Wolfe and Yelton—29.

Representatives present and not voting were: Brewer, Byrd, King (Shelby), Miller, Turner and Mr. Speaker McWherter—6.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes	61
Noes	21
Present and not voting	2

Representatives voting aye were: Baker, Bell (Wilson), Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, DePriest, Dills, Disspayne, Duncan, Ellis, Frensley, Gaia, Gill, Hillis, Hudson, Hurley, Jared, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Pickering, Rhinehart, Robinson (Davidson), Robinson (Washington), Shirley, Spence, Starnes, Sterling, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wood and Work—61.

Representatives voting no were: Akard, Bell (Knox), Bewley, Carter, Davis (Gibson), Davis (Pickett), Duer, Ford, Harrill, Henry (Roane), Johnson, McAfee, Robertson, Scruggs, Severance, Shockley, Smith, Stallings, Ussery, Wolfe and Yelton—21.

Representatives present and not voting were: Kernell and Mr. Speaker McWherter—2.

Thereupon, Senate Bill No. 1124 failed to receive a constitutional majority by the following vote:

Ayes	47
Noes	43
Present and not voting	2

Representatives voting aye were: Bell (Wilson), Bivens, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Hamilton), DeBerry, DePriest, Disspayne, Ellis, Gaia, Hillis, Hudson, Hurley, Jones, Kent, Kernell, King (Shelby), King (Washington), Love, McKinney, Miller, Moore, Murphy (Davidson), Murray, Owen, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Shirley, Spence, Starnes, Sterling, Webb, Withers, Wix, Work and Mr. Speaker McWherter—47.

Representatives voting no were: Akard, Baker, Bell (Knox), Bewley, Bragg, Carter, Copeland, Crain, Davis (Gibson), Davis (Pickett), Dills, Duer, Duncan, Ford, Frensley, Gill, Harrill, Henry (Roane), Jared, Johnson, Kelley, Lashlee, Lowe, McAfee, McNally, Montgomery, Naifeh, Percy, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stallings, Tanner, Ussery, Wallace, Wheeler, Whitson, Wolfe, Wood and Yelton—43.

Representatives present and not voting were: Byrd and Turner—2.

Under the rules, Senate Bill No. 1124 was re-referred to the Committee on Calendar and Rules.

House Resolution No. 49—Relative to directing construction, restaurant, Edgar Evins State Park.

Mr. Buck moved that House Resolution No. 49 be adopted, which motion prevailed by the following vote:

Ayes	82
Noes	0
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McKinney, McNally, Miller, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work and Yelton—82.

Representative present and not voting was: Moore—1.

A motion to reconsider was tabled.

Mr. Bragg moved that Senate Bill No. 1061 be placed on the Calendar for Tuesday, May 26, 1981, which motion prevailed.

Mr. McKinney moved that House Bill No. 1012 be placed on the Calendar for Tuesday, May 26, 1981, which motion prevailed.

Mr. Brewer moved that House Bill No. 1151 be placed on the Calendar for Tuesday, May 26, 1981, which motion prevailed.

Mr. McKinney moved that House Bill No. 1014 be placed on the Calendar for Tuesday, May 26, 1981, which motion prevailed.

Mr. Bragg moved that House Bill No. 1322 be placed on the Calendar for Tuesday, May 26, 1981, which motion prevailed.

On motion of Mr. Tanner, House Bill No. 1348 was withdrawn from the House.

On motion of Mr. Tanner, House Bill No. 1349 was withdrawn from the House.

House Bill No. 440—To make certain provisions, arrest without a warrant

On motion, House Bill No. 440 was made to conform with Senate Bill No. 175.

On motion, Senate Bill No. 175, on same subject, was substituted for House Bill No. 440.

Mr. Kent moved that Senate Bill No. 175 be passed on third and final consideration.

Mr. Spence moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 175 by inserting in the first sentence of the fourth paragraph of the amendatory language of Section 1 immediately after the words "booked and processed" the words "and at such time shall post an appearance bond of at least \$250.00 unless the court determines that such person shall be released on his own recognizance."

Mr. Cobb moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	60
Noes	25

Representatives voting aye were: Akard, Bell (Knox), Bewley, Bivens, Brewer, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duer, Frensley, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Love, Lowe, McAfee, McNally, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Percy, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Shirley, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Webb, Wheeler, Wood and Work—60.

Representatives voting no were: Baker, Buck, Carter, Crain, Davis (Pickett), Duncan, Ford, Gaia, Jones, Kent, Lashlee, McKinney, Miller, Owen, Pickering, Severance, Shockley, Smith, Spence, Wallace, Whitson, Withers, Wix and Wolfe—25.

Mr. Kent moved that Senate Bill No. 175 be placed on the Calendar for Tuesday, May 26, 1981, which motion prevailed.

House Bill No. 1370—To modify dates for increase, coal severance tax.

Mr. Robertson moved that House Bill No. 1370 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	0
Present and not voting	6

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Small, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—83.

Representatives present and not voting were: Brewer, Buck, Covington, King (Shelby), Pickering and Wix—6.

A motion to reconsider was tabled.

CONSENT CALENDAR

OBJECTIONS

Objections were filed to the following bills and resolutions on the Consent Calendar:

Mr. Bragg objected to House Bill No. 1377.

Mr. Davis (Pickett) objected to House Bill No. 1383.

Under the rules, 1377 and 1383 were placed at the foot of the Calendar for Tuesday, May 26, 1981.

House Joint Resolution No. 244—Relative to honoring Don Chase.

House Bill No. 1378—To repeal Chapter 120, Private Acts of 1981.

House Bill No. 1381—To provide selection of juries, Gibson County.

House Bill No. 1385—To amend Charter, Town of Gibson.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, and all House Joint Resolutions on the Consent Calendar be adopted, which motion prevailed by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

A motion to reconsider was tabled.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 130—Relative to honoring Reverend Bill Moss.

Under the rules, Senate Joint Resolution No. 130 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 131—Relative to congratulating Rita Becallo.

Under the rules, Senate Joint Resolution No. 131 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 132—Relative to memory, William Garland Reeves.

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Under the rules, Senate Joint Resolution No. 132 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 133—Relative to study, state energy policy.

The Speaker referred Senate Joint Resolution No. 133 to the Committee on Conservation and Environment.

Senate Joint Resolution No. 134—Relative to study, coal reserves, West Tennessee.

The Speaker referred Senate Joint Resolution No. 134 to the Committee on Conservation and Environment.

Senate Joint Resolution No. 136—Relative to centennial, East Tennessee and Western North Carolina Railroad.

Under the rules, Senate Joint Resolution No. 136 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 137—Relative to congratulating Penny Laura Cardin.

Under the rules, Senate Joint Resolution No. 137 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 138—Relative to congratulating Michael F. Jenkins.

Under the rules, Senate Joint Resolution No. 138 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 139—Relative to honoring Don F. Farmer.

Under the rules, Senate Joint Resolution No. 139 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 140—Relative to study changes, chambers and visitors galleries.

The Speaker referred Senate Joint Resolution No. 140 to the Committee on State and Local Government.

Senate Joint Resolution No. 143—Relative to study, consumer financing laws.

The Speaker referred Senate Joint Resolution No. 143 to the Committee on Commerce.

Senate Joint Resolution No. 144—Relative to expressing sorrow, Benjamin Leslie Cate, Sr.

Under the rules, Senate Joint Resolution No. 144 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 145—Relative to commending George Usry.

Under the rules, Senate Joint Resolution No. 145 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 146—Relative to expressing sorrow, Hugh Gross Neil.

Under the rules, Senate Joint Resolution No. 146 was referred to the Committee on Calendar and Rules.

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Senate Joint Resolution No. 147—Relative to commending Bill Gibbons.

Under the rules, Senate Joint Resolution No. 147 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 148—Relative to commending Judge Thomas G. Hull.

Under the rules, Senate Joint Resolution No. 148 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 149—Relative to honoring Etowah Diamond Jubilee Celebration.

Under the rules, Senate Joint Resolution No. 149 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 150—Relative to commending Darrell Akins.

Under the rules, Senate Joint Resolution No. 150 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 152—Relative to recess, Ninety-Second General Assembly.

Under the rules, Senate Joint Resolution No. 152 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 153—Relative to congratulating Kimberly Jennings Dean.

Under the rules, Senate Joint Resolution No. 153 was referred to the Committee on Calendar and Rules.

Mr. McKinney moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 151 out of order, which motion prevailed by the following vote:

Ayes	70
Noes	18
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Wilson), Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Dispayne, Duer, Ellis, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, Miller, Montgomery, Moore, Murphy (Davidson), Naifeh, Owen, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Shirley, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Wheeler, Withers, Wix, Wood, Work and Yelton—70.

Representatives voting no were: Bell (Knox), Bewley, Bivens, Davis (Pickett), Duncan, Ford, Hurley, Jared, McNally, Murray, Percy, Scruggs, Severance, Shockley, Smith, Webb, Whitson and Wolfe—18.

Representative present and not voting was: King (Shelby)—1.

Senate Joint Resolution No. 151—Relative to recess, 92nd General Assembly.

Mr. McKinney moved that Senate Joint Resolution No. 151 be concurred in.

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Mr. McKinney moved the previous question, which motion failed by the following vote:

Ayes	45
Noes	41
Present and not voting	4

Representatives voting aye were: Baker, Bell (Wilson), Bragg, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Duncan, Ellis, Gaia, Gill, Hillis, Hudson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Pickering, Puritt, Rhinehart, Robinson (Davidson), Shirley, Spence, Stallings, Turner, Withers, Wood, Work and Yelton—45.

Representatives voting no were: Akard, Bell (Knox), Bewley, Bivens, Brewer, Buck, Burnett, Chiles, Crain, Davis (Pickett), Duer, Ford, Frensley, Harrill, Henry (Roane), Hurley, Jared, Johnson, Kernell, King (Shelby), Lowe, McNally, Montgomery, Murray, Naifeh, Richardson, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Starnes, Sterling, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson and Wolfe—41.

Representatives present and not voting were: Owen, Percy, Wix and Mr. Speaker McWherter—4.

Thereupon, Senate Joint Resolution No. 151, failed by the following vote:

Ayes	44
Noes	33
Present and not voting	14

Representatives voting aye were: Baker, Bell (Wilson), Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Ellis, Gaia, Gill, Hillis, Hudson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, McKinney, Moore, Murphy (Davidson), Phillips, Pickering, Pruitt, Robinson (Davidson), Shirley, Spence, Stallings, Sterling, Turner, Withers, Wood, Work and Yelton—44.

Representatives voting no were: Akard, Bell (Knox), Bewley, Bivens, Davis (Hamilton), Davis (Pickett), Duer, Duncan, Ford, Frensley, Harrill, Hurley, Johnson, McAfee, McNally, Miller, Murray, Naifeh, Owen, Percy, Richardson, Robertson, Robinson (Washington), Scruggs, Severance, Shockley, Smith, Tanner, Wallace, Webb, Whitson, Wolfe and Mr. Speaker McWherter—33.

Representatives present and not voting were: Bragg, Buck, Burnett, Chiles, Crain, Henry (Roane), Jared, Lowe, Montgomery, Rhinehart, Starnes, Ussery, Wheeler and Wix—14.

Under the rules, Senate Joint Resolution No. 151 was referred to the Committee on Calendar and Rules.

Mr. Bragg moved that Senate Bill No. 1115 be recalled from the Senate for further consideration, which motion prevailed.

Mr. Davis (Hamilton) moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 143 out of order, which motion prevailed.

On motion, Senate Joint Resolution No. 143 was recalled from the Committee on Commerce.

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Thereupon, Senate Joint Resolution No. 143, was concurred in by the following vote:

Ayes	81
Noes	1
Present and not voting	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—81.

Representative voting no was: Spence—1.

Representative present and not voting was: Cobb—1.

A motion to reconsider was tabled.

Mr. McKinney moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 135 out of order, which motion prevailed.

On motion, Senate Joint Resolution No. 135 was recalled from the Committee on State and Local Government.

Senate Joint Resolution No. 135—Relative to study, industrial development bonds.

Mr. McKinney moved that Senate Joint Resolution No. 135 be concurred in, which motion prevailed by the following vote:

Ayes	87
Noes	1

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—87.

Representative voting no was: Sterling—1.

A motion to reconsider was tabled.

Mr. Bragg moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 254 out of order, which motion prevailed.

House Joint Resolution No. 254—Relative to studying state and federal fiscal years—By Mr. Speaker McWherter, Bragg and Burnett.

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On motion, the rules were suspended for the immediate consideration of the resolution.

Thereupon, House Joint Resolution No. 254, was adopted by the following vote:

Ayes	90
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

A motion to reconsider was tabled.

Mr. Bragg moved that the rules be suspended for the purpose of introducing House Resolution No. 76 out of order, which motion prevailed.

House Resolution No. 76—Relative to studying state and federal fiscal years—By Mr. Speaker McWherter, Bragg and Burnett.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Bragg, the resolution was adopted by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

A motion to reconsider was tabled.

Mr. Davidson moved that the rules be suspended for the purpose of introducing House Resolution No. 75 out of order, which motion prevailed.

House Resolution No. 75—Relative to honoring Regina Officer Clay—By Davidson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Davidson, the resolution was adopted.

A motion to reconsider was tabled.

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Mr. Hurley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 245 out of order, which motion prevailed.

House Joint Resolution No. 245—Relative to honoring Ron England—By Hurley, King (Washington) and Robinson (Washington).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Hurley, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Smith moved that the rules be suspended for the purpose of introducing House Resolution No. 67 out of order, which motion prevailed.

House Resolution No. 67—Relative to honoring Charles Herrell—By Smith and Severance.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Smith, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wheeler moved that the rules be suspended for the purpose of introducing House Resolution No. 68 out of order, which motion prevailed.

House Resolution No. 68—Relative to recognizing Market Street, Clinton—By Wheeler.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wheeler, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Hudson moved that the rules be suspended for the purpose of introducing House Resolution No. 69 out of order, which motion prevailed.

House Resolution No. 69—Relative to honoring Dewley Matherly—By Hudson and Bell (Knox).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Hudson, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Murphy (Davidson) moved that the rules be suspended for the purpose of introducing House Resolution No. 70 out of order, which motion prevailed.

House Resolution No. 70—Relative to honoring Bill Ivey—By Murphy (Davidson).

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Murphy (Davidson), the resolution was adopted.

A motion to reconsider was tabled.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House

Resolution No. 71 out of order, which motion prevailed.

House Resolution No. 71—Relative to honoring Karen Blackledge—By DeBerry.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Resolution No. 73 out of order, which motion prevailed.

House Resolution No. 73—Relative to honoring Miss Annella Campbell—By DeBerry.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. DeBerry, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Tanner moved that the rules be suspended for the purpose of introducing House Resolution No. 74 out of order, which motion prevailed.

House Resolution No. 74—Relative to honoring Obion County Central High School baseball team—By Tanner.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Tanner, the resolution was adopted.

A motion to reconsider was tabled.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 248 out of order, which motion prevailed.

House Joint Resolution No. 248—Relative to honoring Peter Burghardt DuBois Strong—By DeBerry and Jones.

On motion, the rules were suspended for the immediate consideration of the resolution.

Ms. DeBerry moved that House Joint Resolution No. 248 be adopted, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Small, Smith, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—88.

A motion to reconsider was tabled.

Ms. Gaia moved that the rules be suspended for the introduction and immediate consideration of House Resolution No. 77, which motion prevailed.

House Resolution No. 77—Relative to honoring Mildred Salak—By Gaia.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Mr. Bragg moved that pursuant to Rule No. 76, the rules be suspended for the purpose of placing House Bill No. 1353 on the Calendar for Tuesday, May 26, 1981, which motion prevailed.

UNFINISHED BUSINESS

Mr. Bragg moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the difference between the two bodies on Senate Bill No. 95, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Bivens, Gill and Bragg as the Conference Committee on Senate Bill No. 95.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 146—To increase expense allowance, General Assembly.

SENATE AMENDMENT NO. 11

Amend House Bill No. 146 by deleting the language of Section 4 in its entirety and by substituting instead the following:

SECTION 4 - Section 1 of this Act shall take effect upon becoming a law, the public welfare requiring. Sections 2 and 3 of this Act shall take effect on November 2, 1982, in compliance with Article 2, Section 23 of the Tennessee Constitution.

Mr. Rhinehart moved that the House concur in Senate Amendment No. 11.

Mr. Ussery moved the previous question, which motion prevailed by the following vote:

Ayes	68
Noes	20

Representatives voting aye were: Akard, Bell (Wilson), Bewley, Bivens, Bragg, Buck, Byrd, Carter, Chiles, Cobb, Copeland, Covington, Crain, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Duncan, Ellis, Frensley, Gill, Harrill, Henry (Roane), Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Montgomery, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Spence, Stallings, Starnes, Sterling, Ussery, Webb, Wheeler, Whitson, Withers, Wood, Work and Yelton—68.

Representatives voting no were: Baker, Bell (Knox), Burnett, Clark (Sumner), Davidson, Disspayne, Duer, Ford, Gaia, Hudson, Kelley, Kent, Miller, Moore, Shirley, Smith, Tanner, Wallace, Wix and Wolfe—20.

Thereupon, the House concurred in Senate Amendment No. 11 by the following vote:

Ayes	53
Noes	39

Representatives voting aye were: Akard, Bell (Knox), Bell (Wilson), Bewley, Bivens, Brewer, Buck, Carter, Cobb, Copeland, Covington, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Ellis, Frensley, Harrill, Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McKinney, Murphy (Davidson), Murray, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shockley, Spence, Stallings, Starnes, Sterling, Ussery, Wheeler, Whitson, Withers, Work and Yelton—53.

Representatives voting no were: Baker, Bragg, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Crain, Davidson, Davis (Pickett), Dills, Disspayne, Duer, Duncan, Ford, Gaia, Gill, Henry (Roane), Hudson, Kelley, Kent, McAfee, McNally, Miller, Montgomery, Moore, Naifeh, Owen, Phillips, Shirley, Smith, Tanner, Turner, Wallace, Webb, Wix, Wolfe, Wood and Mr. Speaker McWherter—39.

FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 158—To amend Title 4, Chapter 29, Part 2, Title 4, Chapter 3 and Title 12, Code.

Mr. Kernell moved that the House refuse to recede from its action in adopting Amendment No. 1 to Senate Bill No. 158, which motion prevailed.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution NO. 158—Relative to creating study, committee, medical radiation.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 158 by inserting in the fifth resolving clause immediately after the words "Speaker of The Senate" the words "from the members of the Senate General Welfare, Health, and Human Resources Committee."

Mr. Burnett moved that the House concur in Senate Amendment NO. 1, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes,

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Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—89.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 267—To appropriate funds, Institute of African Affairs.

SENATE AMENDMENT NO. 1

Amend House Bill No. 267 by deleting Section 5 in its entirety and renumbering subsequent sections accordingly.

Mr. Withers moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 318, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Davis (Hamilton), House Bill No. 318 was returned to the Senate as requested.

Mr. Davidson moved that the Speaker appoint a Conference Committee to meet with the Senate committee to resolve the differences between the two bodies on Senate Bill No. 420, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Davidson, Henry (Blount) and Davis (Hamilton) as the Conference Committee on Senate Bill No. 420.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 510—To grant certain authority, T.B.I.

SENATE AMENDMENT NO. 1

Amend House Bill No. 510 by deleting the following words and figures from the amendatory language of Section 1:

Controlled substances, drugs and narcotics	\$20.00
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Alcohol or drug content of blood, breath or urine	10.00
--	-------

Certification of criminal histo- ries when required by law	5.00
---	------

and by substituting instead the following:

Controlled substances, drugs and narcotics	\$12.00
---	---------

Alcohol or drug content of blood, breath or urine	6.00
Certification of criminal histo- ries when required by law	5.00

Mr. Lashlee moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 547—To allow confiscation of property used in certain crimes.

SENATE AMENDMENT NO. 2

Amend House Bill No. 547 by inserting the words “or property” between the words “vehicles” and “used” in the first sentence of Section 1.

and by striking the following words in the same sentence:A

“and property designed or intended for use in,”

Mr. Kent moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	85
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWhorter—85.

A motion to reconsider was tabled.

Mr. Baker moved that the Speaker appoint a Conference to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 601, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Baker, Duncan and Robinson (Davidson) as the Conference Committee on House Bill No. 601.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 763—To provide sick leave incentive pay plan state employees.A

SENATE AMENDMENT NO. 1

Amend House Bill No. 763 by deleting subsection (F) of Section (1) in its entirety and

inserting in lieu thereof the following:

“This Act shall be void and of no effect if, on or after January 1, 1982, the Commissioner of Finance and Administration and the Commissioner of Personnel determine that the number of hours of sick leave used by employees eligible to earn, accrue, and use sick leave from July 1, 1981 through December 31, 1981 is not fifteen percent (15%) less than the number of hours of sick leave used during the six month period from July 1, 1980 through December 31, 1980.”

Mr. Chiles moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	84
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Whitson, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—84.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1073—To establish the Industrial Development Loan Program.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1073 by inserting the following language in the first sentence of Section 6 after the words “applications for loans”:

, forward a copy of each application to the Local Development Authority

SENATE AMENDMENT NO. 4

Amend House Bill No. 1073 by deleting from Section 6 the phrase “The Tennessee local development authority, in consultation with” and by substituting in lieu thereof the phrase “The state funding board, in consultation with the Tennessee local development authority and”

Further amend by deleting from the third sentence of Section 7 the words “local development authority” and by substituting in lieu thereof the words “state funding board”; and by deleting from Section 7, wherever they appear in the third sentence, the words “the authority”, and by substituting in lieu thereof the words “the state funding board”.

Further amend at Section 8 by deleting the words “Tennessee local development authority” and by substituting in lieu thereof the phrase “state funding board, in consultation with the Tennessee local development authority,”.

Mr. Kelley moved that the House concur in Senate Amendments Nos. 2 and 4, which motion prevailed by the following vote:

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Ayes 88
Noes 0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—88.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1098—To authorize certain cities to contract for city services.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1098 by adding the following as a new section 2 and by renumbering subsequent sections accordingly:

Section 2. Tennessee Code Annotated, Section 6-35-206, is amended by adding the following as subsection (c):

- (c) The provisions of this section shall apply only to cities with populations greater than 14,520 but less than 14,530, according to the 1970 federal census or any subsequent federal census, and which are located in counties with populations greater than 30,400 but less than 30,500 according to the 1970 federal census or any subsequent federal census. Further, the provisions of this section shall be applicable only to garbage collection and fire protection services.

Mr. Tanner moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL 1145

The Conference Committee on House Bill 1145 (Senate Bill 385) met today and agreed to accept the House Bill 1145 as amended by the Senate.

Senator Ben Atchley

Senator Riley Darnell

Senator Jim White

Representative Ed Murray

Representative Buddy Scruggs

Representative Loy Smith

Mr. Scurggs moved that the Report of the Conference Committee on House Bill No. 1145 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	86
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—86.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 192

House Joint Resolution No. 192—Relative to tax relief, elderly low income taxpayers.

Mr. Yelton moved that House Joint Resolution No. 192 be passed on second reading.

At the request of the sponsor, House Joint Resolution No. 192 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 192 passed its second reading by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—87.

SECOND ROLL CALL

The roll call was taken with the following results:

Present	90
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Representatives present were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith,

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Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—90.

Mr. McNally moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 255 out of order, which motion prevailed.

House Joint Resolution No. 255—Relative to studying revenue resources—By McNally, Rhinehart, Burnett, Bragg, Henry (Roane), Brewer, Copeland.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. McNally, the resolution was adopted by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Akard, Baker, Bell (Knox), Bell (Wilson), Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Carter, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Disspayne, Duer, Duncan, Ellis, Ford, Frensley, Gaia, Gill, Harrill, Henry (Roane), Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Lashlee, Love, Lowe, McAfee, McKinney, McNally, Miller, Montgomery, Moore, Murphy (Davidson), Murray, Naifeh, Owen, Percy, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter—88.

A motion to reconsider was tabled.

Mr. Rhinehart moved that the rules be suspended to allow all pending Unfinished Business to be considered on Tuesday, May 26, 1981, which motion prevailed.

RULES SUSPENDED CONCERNING HOUSE BILL NO. 778

Mr. Copeland to suspend the Rules of the House to allow House Bill No. 778 to have been properly considered by the House of Representatives, which motion prevailed.

APPOINTMENT TO CONFERENCE COMMITTEE

The Speaker announced that he had appointed Mr. Ussery as a member of the Conference Committee on Senate Bill No. 191 to replace Mr. Baker.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 72—Relative to naming proposed highway—By Lashlee, Naifeh and Wallace.

Under the rules, House Resolution No. 72 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 246—Relative to creating study, committee, household pet

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industry—By Bell (Knox), Burnett.

The Speaker referred House Joint Resolution No. 246 to the Committee on Agriculture.

House Joint Resolution No. 247—Relative to directing fiscal review committee, study purchase software computers—By Murphy (Davidson).

Under the rules, House Joint Resolution No. 247 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 249—Relative to providing study, admissions policy, public professional schools—By Lashlee and Scruggs.

The Speaker referred House Joint Resolution No. 249 to the Committee on Calendar and Rules.

House Joint Resolution No. 251—Relative to providing recess, House of Representatives—By Lashlee.

Under the rules, House Joint Resolution No. 251 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 252—Relative to erecting Great Seal Memorial, Knoxville—By Severance, Bell (Knox), Scruggs, Miller and Hudson.

Under the rules, House Joint Resolution No. 252 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 253—Relative to providing recess, House of Representatives—By Naifeh, Lashlee and Tanner.

Under the rules, House Joint Resolution No. 253 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1386—To create county budget committee, Cocke County—By Ford and Bewley.

Passed first consideration.

House Bill No. 1387—To enact new purchasing law, Cocke County—By Ford and Bewley.

Passed first consideration.

House Bill No. 1388—To amend Section 39-3002, Code—By Kent.

Passed first consideration.

House Bill No. 1389—To amend Chapter 54, Private Acts of 1939—By Bell (Knox), Severance, Miller, Scruggs, Hudson and Smith.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 1361—To amend Chapter 46, Private Acts, 1951.

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Passed first consideration.

Senate Bill No. 1372—To levy tax, various increments, certain counties.

Passed first consideration.

Senate Bill No. 1373—To levy tax, various increments, certain counties.

Passed first consideration.

Senate Bill No. 1374—To amend Chapter 896, Public Acts, 1978.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1379—To repeal Chapter 413, Private Acts of 1939.

Passed second consideration and held without reference.

House Bill No. 1380—To make certain provisions, state highway system.

Passed second consideration and referred to Committee on Transportation.

House Bill No. 1384—To amend Chapter 34, Private Acts of 1945.

Passed second consideration and held without reference.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1359; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bill No. 1359.

ENROLLED BILLS

MR. SPEAKER;

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 224, 228, 266, 322, 432, 443, 479, 603, 716, 892, 926, 958 and 1091; House Resolutions Nos. 53, 61 and 65; and House Joint Resolutions Nos. 213, 215, 220, 221, 230, 232, 233, 234 and 239; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 224, 228, 266, 322, 432, 443, 479, 603, 716, 892, 926, 958 and 1091; House Resolutions Nos. 53, 61 and 65 and House Joint Resolutions Nos. 213, 215, 220, 221, 230, 232, 233, 234 and 239.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 20, 351, 571 and 1274; also, Senate Joint Resolutions Nos. 48, 111, 124 and 127; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 557, 583, 584, 981, 1113 and 1339; and House Joint Resolutions Nos. 157 and 222; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 557, 583, 584, 981, 1113 and 1339; House Joint Resolutions Nos. 157 and 222; Senate Bills Nos. 20, 351, 571 and 1274; Senate Joint Resolutions Nos. 48, 111, 124 and 127.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER;

I am directed by the Governor to return herewith: House Bill No. 995 with his approval.

JULIA GIBBONS,
Counsel to the Governor.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Tuesday, May 26, 1981: Senate Joint Resolutions Nos. 130, 131, 132, 136, 137, 138, 139, 144, 145, 146, 147, 148, 149, 150 and 153.

GILL, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1024, 1325, 1370, 1378, 1381 and 1385; and House Joint Resolutions Nos. 244, 245, 248, 254 and 255; and find same correctly engrossed and ready for transmission to the Senate.

MARYILYN EVELYN HAND,
Chief Engrossing Clerk.

On motion of Mr. Burnett, the House adjourned until 4:00 p.m., Tuesday, May 26, 1981.